

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 7: Rito de Tierra Amarilla,  
Rio Brazos, Rutheron & Plaza Blanca,  
Cañones Creek, Village of Chama

**MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Hortencia Martinez	CHTA-004-0016B	PO Box 297, Cebolla NM 87518
Gustavo Martinez, Jr.	CHTA-004-0016B	PO Box 297, Cebolla NM 87518
Roxanne H. Valdez	CHRB-003-0031	PO Box 87, Los Ojos NM 87551
Cleo B.Valdez	CHRB-003-0031	PO Box 87, Los Ojos NM 87551
Crystal H. Valdez	CHRB-003-0031	PO Box 87, Los Ojos NM 87551
Geraldine Valencia	CHRB-004-0033	2625 S. Zurich Ct., Denver CO 80219

Larry Velencia	CHRB-004-0033	2625 S. Zurich Ct., Denver CO 80219
Lilliana R. Martinez	CHRB-004-0053B	HCR 77 Box 3½, Ojo Caliente NM 87549
Max Cleland	CHRB-009-0009	1315 Acapulco, Whittier CA 90605
Stella D. Tafoya	CHRB-009-0009	1315 Acapulco, Whittier CA 90605
Andrew M. Tafoya	CHRB-009-0010	PO Box 87, Tierra Amarilla NM 87575
Theresa Sanchez	CHRB-009-0029	PO Box 114, Los Ojos NM 87551
Brian T. Mello	CHCV-002-0040	PO Box 2591, Chinle AZ 86503

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 7 of the Rio Chama Stream System.

DATED: October 25, 2005

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444 phone  
(505) 867-2299 facsimile

#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the above Motion to Join Additional Parties Defendant were mailed to following persons on October 26, 2005.

/s/ Ed Newville  
Edward G. Newville

Special Master Vickie L. Gabin  
USDC-DCNM  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Karla McCall, Data Manager.  
1315 Sagebrush Dr. SW  
Los Lunas, NM 87031